

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

TINA DENISE SUMMAR,

Plaintiff,

v.

Case No. 23-cv-281-WFJ-JSS

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

\_\_\_\_\_ /

**ORDER**

This cause comes before the Court on Defendant Commissioner of the Social Security's ("Commissioner") unopposed motion to enter a judgment in Plaintiff's favor with reversal and remand pursuant to sentence four of 42 U.S.C. § 405(g) (Dkt. 17), and the report filed by United States Magistrate Judge Sneed recommending that the decision of the Commissioner be reversed, and the matter remanded, for further administrative proceedings (Dkt. 18). The Commissioner asserts that on remand, the Appeals Counsel should instruct the Administrative Law Judge:

[T]o (1) offer Plaintiff the opportunity for a new hearing, (2) further consider medical opinion evidence, (3) take any further action needed to complete the administrative record, and (4) issue a new decision.

No objections have been filed to the Report and Recommendation, and the time for doing so has passed. The Court agrees with the magistrate judge and orders as follows:

1. The Report and Recommendation (Dkt. 18) is adopted and confirmed in all respects and made a part of this Order.

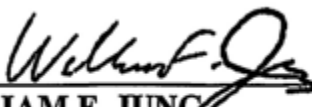
2. The Commissioner's Unopposed Motion for Entry of Judgment with Remand (Dkt. 17) is granted.

3. The Commissioner's decision denying Plaintiff's application for a period of disability and disability benefits is reversed.

4. This case is remanded pursuant to sentence four of 42 U.S.C. § 405(g) to the Commissioner for further administrative proceedings consistent with the reasons stated in the Commissioner's motion and as set forth in the Report and Recommendation and this Order.

5. The Clerk is directed to enter final judgment for Plaintiff, terminate all pending motions, and close the case.

**DONE AND ORDERED** at Tampa, Florida, on July 21, 2023.

  
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**WILLIAM F. JUNG**  
**UNITED STATES DISTRICT JUDGE**

**COPIES FURNISHED TO:**  
Counsel of record